

IN THE SIXTH CIRCUIT COURT OF DAVIDSON COUNTY
TENNESSEE AT NASHVILLE

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IN RE:

BRIDGESTONE/FIRESTONE and
GENERAL MOTORS CORP. TIRE CASES

Case No. 01MD-3

Judge Thomas W. Brothers

D.C.

THIS DOCUMENT APPLIES TO ALL
ACTIONS

ORDER

This cause came on to be heard before this Honorable Court on December 6, 2001, on the Motion of Bridgestone Corporation to Revise Order or, In Alternative, Motion for Permission to Appeal. The Court has previously denied Defendant Bridgestone Corporation's Motion to Dismiss for Lack of Personal Jurisdiction. Upon review of the Motion, the briefs, evidence, oral argument of counsel and the entire record the Court is of the opinion and holds as follows:

1. Plaintiffs have submitted sufficient evidence, when viewed in the light most favorable to Plaintiffs, to establish a *prima facie* showing in support of their allegation that Bridgestone Corporation has sufficient minimum contacts with the State of Tennessee such that this Court may exercise personal jurisdiction.
2. Plaintiffs have submitted sufficient evidence, when viewed in the light most favorable to Plaintiffs, to establish a *prima facie* showing in support of their allegation that Bridgestone Corporation exercised control over its subsidiary such that the Court may exercise jurisdiction pursuant to an agency theory.
3. Plaintiffs have submitted sufficient evidence, when viewed in the light most favorable to Plaintiffs, to establish a *prima facie* showing in support of their allegation of a conspiracy between Bridgestone Corporation and its wholly-owned subsidiary, and a *prima facie* showing in support of their allegation of the commission of overt acts by its wholly-owned subsidiary within this

State, such that the Court may exercise jurisdiction over Bridgestone Corporation pursuant to Chenault v. Walker, 36 S.W.3d 45 (Tenn. 2001) and Anderson v. Roberson, 2001 WL 1381359 (Tenn. Ct. App., November 6, 2001).

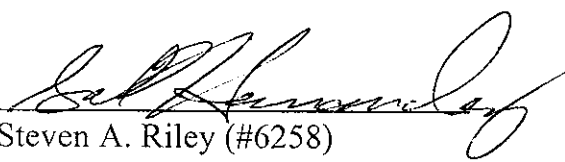
4. The foregoing determinations are preliminary and are not made for any purpose other than for a determination of whether this Court may exercise personal jurisdiction over Bridgestone Corporation.
5. The Court finds that this is not an appropriate issue for an interlocutory appeal under Rule 9 of the Tennessee Rules of Appellate Procedure.
6. For these reasons, the Court is of the opinion that the Motion to Revise, or In Alternative, for Permission to Appeal should be denied.

IT IS THEREFORE ORDERED ADJUDGED AND DECREED BY THE COURT:

1. The Motion to Revise the Court's previous ruling with regard to personal jurisdiction be, and the same is hereby denied.
2. Bridgestone Corporation's request for Permission to Appeal is denied.


JUDGE THOMAS W. BROTHERS

PREPARED FOR ENTRY:


Steven A. Riley (#6258)
Salvador M. Hernandez (#20121)
Bowen Riley Warnock & Jacobson, PLC
1906 West End Avenue
Nashville, TN 37203
(615) 320-3700

Attorneys for Defendant Bridgestone Corporation

CERTIFICATE OF SERVICE

I hereby certify that I have sent a true and correct copy of the foregoing via U.S. Mail, postage pre-paid, to:

Steve North
1215 Gallatin Pike, South
Madison, Tennessee 37115
Phone: (615) 860-7644
Fax: (615) 860-4483
Counsel for Plaintiffs

Richard L. Denney
Lydia JoAnn Barrett
Denney & Barrett
870 Copperfield Drive
Norman, Oklahoma 73072
Phone: (405) 364-8600
Fax: (405) 364-3980
Counsel for Plaintiffs

Robert L. Langdon
Langdon, Emison, Kuhlman & Evans, LLC
911 Main Street
P.O. Box 220
Lexington, Missouri 64067
Phone: (660) 259-6175
Fax: (660) 259-4571
Counsel for Plaintiffs

John Merritt
Merritt & Associates
917 North Robinson
P.O. Box 1377
Oklahoma City, Oklahoma 73101
Counsel for Plaintiffs

Richard LaGarde
Lagarde Law Firm
24 Greenway Plaza, Suite 400
Houston, TX 77046
Phone: (713) 993-0660
Fax: (713) 223-0667
Counsel for Plaintiffs

James F. Sanders
A. Scott Ross
Neal & Harwell, PLC
150 Fourth Avenue North
Suite 2000
Nashville, TN 37219
Phone: (615) 244-1713
Fax: (615) 726-0573
Counsel for Bridgestone/Firestone, Inc.

Colin Smith
Charles E. Joern
Holland & Knight, LLP
55 West Monroe Street, Suite 800
Chicago, IL 60603-5001
Phone: (312) 578-6629
Fax: (312) 578-6666
Counsel for Bridgestone/Firestone, Inc.

this 11th day of December, 2001.

